THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 24903 of 1996

Dated: 20.02.2007

Between:

K. Ram Reddy

... Petitioner

AND

The Union of India, rep., by its Secretary,
Ministry of Home Affairs, North Block,
New Delhi & others.

... Respondents

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 24903 of 1996

ORDER:-

None appears for the petitioner.

This writ petition is wholly misconceived, frivolous and vexatious. The petitioner, who claims to be a practicing Advocate and earlier worked as Assistant Section Officer in the State Secretariat, filed this writ petition for a writ of Mandamus to declare the action of respondent No.5 i.e., Regional Joint Director of Higher Education, Warangal in issuing appointment orders dated 13.11.1996 to respondent Nos.6 and 7 and also to several others as illegal and constitutional. The petitioner also sought for a direction to Union of India – respondent No.1 to institute an enquiry into the lapses in implementation of A.P. Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order 1975 (for short "the 1975 order") and to create a statutory authority to oversee the proper implementation of the 1975 order.

In the affidavit filed in support of the writ petition, the petitioner miserably failed to disclose his credentials in order to justify that he has the locus standi to maintain this writ petition. It

is fairly well settled that to maintain a writ petition, the petitioner shall show that either he is personally affected or that the impugned action affects public at large and that he has the necessary credentials to represent the public at large either as a social worker or a person, who is genuinely interested in public well being. Except claiming that he is a practicing advocate and was an Assistant Section Officer, he did not make any effort to show that he belongs to any of the aforementioned categories.

In **JASBHAI MOTIBHAI DESAI v ROSHAN KUMAR, HAJI BASHIR AHMED AND OTHERS**[1] the Supreme Court held as follows.

> "It will be seen that in the context of locus standi to apply for a writ of certiorari, an applicant may ordinarily fall in any of these categories: (i) 'person aggrieved'; (ii) 'stranger'; (iii) busybody or meddlesome interloper. Persons in the last category are easily distinguishable from those coming under the first two categories. Such persons interfere in things which do not concern them. They masquerade as crusaders for justice. They pretend to act in the name of pro bono publico, though they have no interest of the public or even of their own to protect. They indulge in the pastime of meddling with the judicial process either by force of habit or from improper motives. Often, they are actuated by a desire to win notoriety or cheap popularity; while the ulterior interest of some applicants in this category, may be no more than spoking the wheels of administration. The High Court should do well to reject the applications of such busybodies at the threshold."

The writ petitioner clearly falls under the category as

described by the Supreme Court as a person, who is a busybody or a meddlesome interloper having nothing to do with the litigation lodged by him in this writ petition. The writ petition is therefore liable to be dismissed without going into the merits of the case. For indulging in this vexatious and frivolous litigation, I deem it proper that the petitioner shall be saddeled with exemplary costs of Rs.5,000/- (Rupees Five thousand only) which shall be paid by the petitioner to the Legal Services Authority within a period of four weeks from today.

The writ petition is accordingly dismissed with costs.

C.V. NAGARJUNA REDDY, J

Date: 20.02.2007
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[1] (1976) 1 SCC 671